

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

MARTIN J. WALSH, Secretary of Labor,  
U.S. Department of Labor,<sup>1</sup>

Plaintiff,

v.

UNITED STATES POSTAL SERVICE,

Defendant.

Case No. 1:20-cv-01514-DAD-EPG

ORDER GRANTING IN PART AND  
DENYING IN PART STIPULATION FOR  
DISCOVERY STAY BEFORE AND DURING  
SETTLEMENT CONFERENCE

(ECF No. 15)

Before the Court is the parties' stipulation to stay discovery pending a settlement conference, and to amend the scheduling order if settlement is unsuccessful. (ECF No. 15.) The parties request a stay of discovery through May 31, 2021, due to an upcoming settlement conference on May 14, 2021 with Magistrate Judge Helena Barch-Kuchta. (*Id.*) The parties further request that, if the settlement conference is unsuccessful, they be permitted to extend all remaining dates in the Scheduling Order by a period of time equivalent to the discovery stay period. (*Id.*)

The Court finds good cause for and will grant the parties' request to stay discovery through May 31, 2021. However, pursuant to the Scheduling Order, the non-expert discovery

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<sup>1</sup> Martin J. Walsh is now the Secretary of Labor. Pursuant to Federal Rule of Civil Procedure 25(d), Martin J. Walsh is substituted for Eugene Scalia as the plaintiff in this suit.

1 deadline is currently December 15, 2021, the expert disclosure and discovery deadlines are in  
2 early 2022, the dispositive motion deadline is June 17, 2022, and the pretrial conference is set for  
3 November 28, 2022. (ECF No. 13) The parties have not demonstrated that an extension of these  
4 deadlines is necessary at this time, particularly in light of the limited duration of the proposed  
5 discovery stay. The Court will accordingly deny the request to modify the Scheduling Order  
6 without prejudice to a later request supported by good cause.

7 Accordingly, IT IS HEREBY ORDERED that:

- 8 1. The parties' Stipulation Granting Discovery Stay Before and During Settlement  
9 Conference (ECF No. 15) is GRANTED IN PART and DENIED IN PART;
- 10 2. Pursuant to the parties' stipulation, discovery is stayed through May 31, 2021; and
- 11 3. The parties' request to modify the Scheduling Order is DENIED without prejudice.

12 The parties shall meet and confer following the settlement conference, if unsuccessful,  
13 and determine if an extension to deadlines is needed at that time.

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15 IT IS SO ORDERED.

16 Dated: March 30, 2021

17 /s/ Eric P. Grogan  
18 UNITED STATES MAGISTRATE JUDGE  
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